

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CIMC RAFFLES OFFSHORE (SINGAPORE)
PTE. LTD., and YANTAI CIMC RAFFLES
OFFSHORE LIMITED,

Petitioners,

- against -

SCHAHIN HOLDING S.A., SCHAHIN
ENGENHARIA S.A., SEA BISCUIT
INTERNATIONAL INC., BLACK GOLD
DRILLING LLC, BAERFIELD DRILLING LLC,
and SORATU DRILLING LLC,

Respondents.

Civil Action No.: 1:13-cv-00052-JSR
ECF Case

Hon. Jed S. Rakoff

NOTICE OF MOTION

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that, upon the Notice of Motion, Declaration of Dan J. Schulman, dated May 8, 2013, and the accompanying Memorandum of Law in Support of CIMC Raffles' Second Motion for Post-Judgment Enforcement Against Schahin Holding and Schahin Engenharia, and on all prior pleadings, proceedings, hearings, and papers had herein, and consistent with the directives issued at the conference held before the Court on May 8, 2013, Petitioners CIMC Raffles Offshore (Singapore) Pte. Ltd. and Yantai CIMC Raffles Offshore Limited move the Court for an Order granting Petitioners' motion to enforce the judgment rendered by this Court and entered by the Clerk on April 24, 2013 (the "Judgment") as against respondents Schahin Holding ("Schahin Holding") and Schahin Engenharia S.A. ("Schahin Engenharia") by directing that:

(1) Schahin Holding and Schahin Engenharia, pursuant to CPLR 5225, bring into New York and turnover to Petitioners funds equal to the Judgment, namely, the sum of \$71,386,801.91, plus post-judgment interest; and

(2) Schahin Engenharia make installment payments to an account specified by Petitioners, pursuant to CPLR 5225 and 5226, of all funds paid to expenses for its operation, maintenance, and repairs, and other sums paid or payable or to be paid to Schahin Engenharia from U.S. banks (“Offshore Operating Expenses”) on account of or relating to Schahin Engenharia’s operation of the SS Amazonia and the SS Pantanal, including all Operating Expenses paid through Offshore Operating Accounts located at Deutsche Bank Trust Company Americas (“Deutsche Bank Americas”); and Deutsche Bank Americas turn over to Petitioners all Offshore Operating Expenses in its custody or possession relating to the SS Amazonia and the SS Pantanal owing or payable to Schahin Engenharia, including sums located in Offshore Operating Accounts, pursuant to CPLR 5227, until Petitioners file a satisfaction of the April 24, 2013 judgment; and

(3) Schahin Engenharia make installment payments to an account specified by Petitioners, pursuant to CPLR 5225 and 5226, of all Operating Expenses paid or payable or to be paid to Schahin Engenharia on account of Schahin Engenharia’s operation of the SC Lancer and the Vitoria 10,000, and any other vessels, rigs, or platforms, including all Operating Expenses paid through Offshore Operating Accounts located at Deutsche Bank Americas; and Deutsche Bank Americas turn over to Petitioners all sums for Operating Expenses in its custody or possession relating to the SC Lancer and the Vitoria 10,000, and any other vessels, rigs, or platforms, owing to or payable to Schahin Engenharia, including sums located in Offshore Operating Accounts, pursuant to CPLR 5227, until Petitioners file a satisfaction of the April 24, 2013 judgment; and

(4) Schahin Engenharia make installment payments to an account specified by Petitioners, pursuant to CPLR 5225 and 5226, of all Operating Expenses owing or payable or

paid to Schahin Engenharia on account of Schahin Engenharia's operation of the SS Amazonia, SS Pantanal, SC Lancer, and Vitoria 10,000, and any other vessels, rigs, or platforms, paid through Onshore Operating Accounts, including all Operating Expenses paid or reimbursed through Onshore Operating Accounts, at Deutsche Bank S.A.–Banco Alemão ("Deutsche Bank Brazil"); and

(5) Schahin Engenharia issue instructions to all U.S. and non-U.S. banks in which it receives funds, including Deutsche Bank Americas and Deutsche Bank Brazil, directing that all Operating Funds owing, paid, to be paid, or payable to Schahin Engenharia, be re-directed and paid to Petitioners at such account as Petitioners may designate, and to pay or wire to Petitioners all other available funds not subject to secured interests of banks, on or before May 28, 2013, and to provide CIMC Raffles and the Court with copies of all such instructions to its banks, on or before May 24, 2013; and

(6) Service of a copy of this Order upon non-appearing Respondents Schahin Holding S.A., Schahin Engenharia S.A., and Sea Biscuit International Inc., via certified or registered mail, return receipt requested, shall be deemed good and sufficient service thereof.

PLEASE TAKE FURTHER NOTICE that opposition papers shall be due on May 15, 2013.

Dated: New York, New York
May 8, 2013

SCHULMAN BLACKWELL LLP



By: _____

Dan J. Schulman

Christopher A. Blackwell

Co-counsel for Petitioners

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TO: All Respondents captioned herein, other parties on record, and Dale Christensen, counsel for Deutsche Bank Trust Company America.